

## REMARKS

The applicant appreciates the Examiner's thorough examination of the application and requests reexamination and reconsideration of the application in view of the preceding amendments and the following remarks.

The Examiner maintains the rejection of claims 31-35 and 37-38 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,602,928 to *Eriksson et al.*, and claim 36 under 35 U.S.C. §103(a) as being unpatentable over *Eriksson* in view of U.S. Patent No. 6,760,454 to *Shreve et al.*

Independent claim 31 of the subject application is directed to a handfree-set for mounting on the safety belt of an automotive vehicle comprising a microphone, the microphone provided at the side of the microphone facing the belt with contacts for contacting counter-contacts which are provided on the belt and connected to conducting filaments which are woven into the belt and are designed as connecting conductors in the form of metal filaments or strands which lead from the counter-contacts to an electronic circuit, and fastening plates arranged at both sides of the belt and connected to one another through an opening in the belt in a non-rotational manner with respect to the belt, the counter-contacts being mounted on the fastening plate at the microphone side and connected through said fastening plate to said conducting filaments.

The Examiner alleges that *Eriksson* discloses "fastening plates (See Fig. 4 and transmissive layer or tape member 211) arranged at both sides of the belt (See Fig. 4 and shoulder harness 206 and Fig. 5 and mesh belt 210) and connected to one another through an opening in the belt in a non-rotational manner with respect to the belt, said counter-contacts being mounted on the fastening plate at the microphone side (See Fig. 4 and

microphone 208) and connected through said fastening plate to said conducting filaments (See Fig. 4 and conducting wire 212) (See col. 6 lines 6-21).” Paragraph 3 of the Advisory Action.

However, *Eriksson* fails to disclose several features of the claimed invention. One such feature *Eriksson* fails to disclose is fastening plates arranged at both sides of the belt and connected to one another through an opening in the belt, in a non-rotational manner with respect to the belt as claimed by the applicant.

*Eriksson* discloses an error microphone 208 which is either embedded in mesh belt 210 or mounted thereto by a sound transmissive layer or tape member 211. See Col. 6, lines 6-13 of *Eriksson*. This is clearly shown in Fig. 5 of *Eriksson*, which is a sectional view of Fig. 4 of *Eriksson* and is reproduced below.

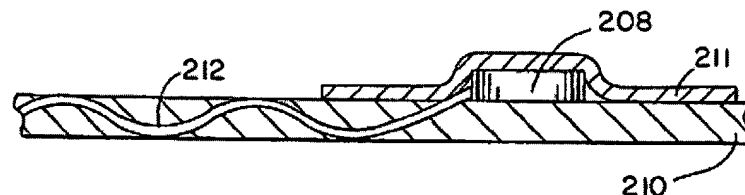


FIG. 5

As shown in Fig. 5 of *Eriksson*, connection wire 212 is enmeshed in belt 210. Error microphone 208 is mounted on the belt 210 and connected to connection wire 212 and is mounted in place by sound transmissive layer or tape member 211. However, nowhere does *Eriksson* disclose, teach or suggest fastening plates arranged at both sides of the belt as claimed by the applicant. Assuming just for the sake of this discussion that tape member 211 is a fastening plate, *Eriksson* fails to disclose an additional fastening plate at the other side of the belt. Fig. 5 of *Eriksson* clearly shows that there is nothing, let alone a fastening plate, arranged at the lower side of the belt.

Accordingly, it is clear that *Eriksson* fails to disclose fastening plates arranged at both sides of the belt as claimed by the applicant.

Additionally, the applicant claims that the fastening plates are connected to one another through an opening in the belt. As noted above, *Eriksson* fails to disclose the fastening plates as claimed by the applicant. Further, *Eriksson* fails to disclose an opening in the belt through which anything, let alone fastening plates, connect to each other. See Fig. 5 of *Eriksson* reproduced above. Even assuming that tape member 211 is a fastening plate as suggested by the Examiner, the tape member is not connected to anything through an opening in the belt.

Accordingly, *Eriksson* fails to disclose fastening plates connected to one another through an opening in the belt as claimed by the applicant.

Further, the applicant claims counter-contacts mounted on the fastening plate at the microphone side and connected through the fastening plate to the conducting filaments. As noted above, *Eriksson* fails to disclose fastening plates as claimed by the applicant.

Assuming just for the sake of this discussion that tape member 211 is a fastening plate, *Eriksson* still fails to disclose counter-contacts mounted on the tape member 211 at the microphone side and connected through the tape member to the conducting filaments.

*Eriksson* fails to disclose anything mounted to tape member 211 other than microphone 208.

Accordingly, it is clear that *Eriksson* fails to disclose counter-contacts as claimed by the applicant.

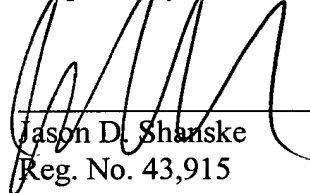
Therefore, for at least these reasons, the applicant submits that *Eriksson* fails to disclose all of the elements of applicant's independent claim 31, and that claim 31 and its

dependent claims are patentable over the references.

Each of the Examiner's rejections has been addressed or traversed. Accordingly, it is respectfully submitted that the application is in condition for allowance. Early and favorable action is respectfully requested.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts, at (781) 890-5678.

Respectfully submitted,



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